

NOV 15 2005

Patent Docket No. : P1053R1D1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of<br>Brian M. Fendly<br>Serial No.: 09/705,579<br>Filed: November 2, 2000<br>For: <b>ANTI-ErbB2 ANTIBODIES</b> | Group Art Unit: 1642<br>Examiner: Christopher H. Yaen<br>Confirmation No: 5667<br><b>CUSTOMER NO: 09157</b><br><br><b><u>CERTIFICATE OF FACSIMILE TRANSMISSION</u></b><br>I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.<br>Dated: <u>11-15-05</u><br>By: <u>Pam Golden</u><br>Pam Golden |
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**NOTICE OF APPEAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated, June 15, 2005 of the Primary Examiner finally rejecting claims.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$500 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application. A duplicate copy of this Notice is enclosed for this purpose.

Respectfully submitted,  
GENENTECH, INC.

Date: Nov. 15, 2005By:  for Wendy Lee

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